

REMARKS

The Office Action dated December 7, 2005 has been carefully considered. Claims 1-18 are pending. The above amendments and the following remarks are presented in a sincere attempt to place this Application in condition for allowance. Claims 1, 14 and 16 have been amended in this Response. Reconsideration and allowance are respectfully requested in light of the above amendments and following remarks.

Claims 1-2 and 14-15 stand rejected under 35 U.S.C. § 103(a) in view of U.S. Patent 6,738,013 to Orlor et al. ("Orlor") and U.S. Patent 6,542,818 to Oesterling et al. ("Oesterling"). Insofar as these rejections may be applied against the amended claims, they are deemed overcome.

Claim 1 has been amended to clarify a distinguishing feature of the present invention. The processing unit of Claim 1 "receives the GPS coordinates of the vehicle, *decodes the plurality of RF signals*, and calculates alternate routes of vehicle travel around the traffic or environmental conditions *in response to GPS coordinates of the vehicle and the traffic or environmental conditions*." Support for this amendment can be found, among other places, Figs. 3A and 3B of the original Application.

The Orlor and Oesterling references do not teach, suggest or disclose this feature of the present invention. Specifically, Orlor discloses generic satellite positioning system receivers, wherein the receivers can include a plurality of input paths, and a means for generating a plurality of outputs. These receivers can accept radio frequency ("RF") inputs, such as GPS signals. Oesterling discloses a method for creating a real-time recording of a vehicle route using a wireless communication system and GPS assistance. The positional information for a vehicle is recorded by an on-board system along with a nametag assigned to the driver and the recorded route of the vehicle is transmitted to a central storage location.

In contrast, the present application claims an apparatus wherein a processing unit receives GPS coordinates of the vehicle, decodes RF signals that correspond to GPS coordinates of traffic or environmental conditions, and calculates an alternate route for the vehicle in response to the GPS coordinates of the vehicle and the traffic or environmental conditions. These distinguishing features are clearly not disclosed by the cited references. Orler and Oesterling in combination disclose a system that can track and record the route of a vehicle by using GPS coordinates, but in combination they do not disclose calculating an alternate route in response to traffic or environmental conditions. Accordingly, Oesterling uses multiple tracked routes by different vehicles to determine a fastest route, but it does not directly use traffic or environmental conditions to calculate an alternate route. Decoding RF signals that relate to traffic or environmental conditions and calculating an alternate route in response to these conditions is clearly not disclosed by the cited references.

In view of the foregoing, it is apparent that the cited references do not disclose, teach, or suggest the unique combination now recited in amended Claim 1. Applicants therefore submit that amended Claim 1 is both clearly and precisely distinguishable over the cited references in a patentable sense. Accordingly, Applicants respectfully request that the rejection of Claim 1 under 35 U.S.C. § 103(a) in view of Orler and Oesterling be withdrawn and that amended Claim 1 be allowed.

Claim 2 depends upon and further limits amended Claim 1. Hence, for at least the aforementioned reasons, this Claim should be deemed to be in condition for allowance. Accordingly, Applicants respectfully request that the rejection of dependent Claim 2 also be withdrawn.

Claim 14 has been amended to clarify the same distinguishing feature as amended Claim 1. Specifically, amended Claim 14 describes a processing unit that comprises “*a decoder, wherein the decoder decodes a plurality of RF signals into a plurality of constituent data streams, wherein at least one data stream is the GPS coordinates of traffic or environmental conditions.*” Hence, for at least the aforementioned reasons that amended Claim 1 is deemed to be in condition for allowance, this Claim should be deemed to be in condition for allowance. Applicants therefore submit that amended Claim 14 is both clearly and precisely distinguishable over the cited references in a patentable sense. Accordingly, Applicants respectfully request that the rejection of Claim 14 under 35 U.S.C. § 103(a) in view of Orlor and Oesterling be withdrawn and that amended Claim 14 be allowed.

Claim 15 depends upon and further limits amended Claim 14. Hence, for at least the aforementioned reasons, this Claim should be deemed to be in condition for allowance. Accordingly, Applicants respectfully request that the rejection of dependent Claim 15 also be withdrawn.

Claims 3-5 and 16-18 stand objected to as being dependent upon a rejected base claim. Claims 3-5 depend upon and further limit amended Claim 1. Claims 16-18 depend upon and further limit amended Claim 14. Applicants respectfully submit that amended Claims 1 and 14 are now deemed to be in condition for allowance. Accordingly, Claims 3-5 and 16-18 are not longer dependent upon rejected base claims, and Applicants respectfully request that the objections to Claims 3-5 and 16-18 be withdrawn.


Applicants have now made an earnest attempt to place this Application in condition for allowance. For the foregoing reasons and for other reasons clearly apparent, Applicants respectfully request full allowance of Claims 1-18.

Applicants do not believe that any fees are due; however, in the event that any fees are due, the Commissioner is hereby authorized to charge any required fees due (other than issue fees), and to credit any overpayment made, in connection with the filing of this paper to Deposit Account No. 50-0605 of CARR LLP.

Should the Examiner deem that any further amendment is desirable to place this Application in condition for allowance, the Examiner is invited to telephone the undersigned at the number listed below.

Respectfully submitted,

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